

Board of Sumter County Commissioners

Division of Planning & Development

Code Compliance Department

910 N. Main Street, Suite 301 • Bushnell, FL 33513 • Phone (352) 793-0270 • FAX: (352) 793-0274

Website: <http://sumtercountyfl.gov/plandevlop>



SPECIAL MASTER HEARING **April 30, 2009 @ 3:00 PM**

Present: Special Master R. Lee Hawkins, Jr., County Attorneys Shawn Brannagan and Jason Smith, Alysia Akins - Code Secretary, Dwayne Ausley - Inspector, and Edd Kaman - Inspector.

Special Master Hawkins called the hearing to order at 3:00 PM and followed with the Pledge of Allegiance.

Attorney Brannagan reviewed and moved to enter the minutes of the Special Master Hearing from 3/26/09 into the record as submitted.

Mr. Ausley and Mr. Kaman were sworn in.

OLD BUSINESS:

The following case has complied:
CE2007-0624/Talley

The following cases have complied with costs/fines due:
CE2008-0493/Truss
CE2008-0417/Kinney
CE2008-0060/Maddox

The following cases have **not** complied:
CE2009-0020/Cedar Acres, Inc.
CE2008-0459/Marquis-Countrywide Home Loans, Inc.
CE2008-0392/Coulson
CE2007-0568/Acosta-First Continental Mortgage & Investment Corp.

1) Case #: CE2008-0134

Name: Russell K. Thompson

Address: 3653 CR 405DW, Lake Panasoffkee

Violation: 6-104(4)

Inspector: Dwayne Ausley

Recommendation: **COMPLIED - AMEND ORIGINAL ORDER TO ELIMINATE COSTS
AND FINES**

Special Master Hawkins amended the original order as recommended and an Affidavit of Compliance was entered into the record.

NEW BUSINESS:

The following cases received Affidavits of Pre-Hearing Compliance:

CE2008-0403/Watts

CE2009-0007/Beville's Corner Project, LLC

CE2009-0004/Jones

1) Case #: CE2008-0386

Name: Geraldine Crampton

Address: 2988 N. C-470, Lake Panasoffkee

Violation: 6-104(2) & 6-104(4)

Inspector: Dwayne Ausley

Recommendation: **HEAR CASE**

The Respondent was not present. The Respondent was sent a Notice of Hearing via certified mail regarding the code case that began on 9/15/08. The property has homestead exemption. Mr. Ausley's last visit to the property was on 4/30/09, and the property was not in compliance. Mr. Ausley submitted photos of the violations taken on 4/30/09 into the record. Mr. Ausley testified the inoperable vehicles have been removed. Mr. Ausley testified he and Mrs. Akins have spoken with Ms. Crampton regarding the violations.

Mr. Ausley recommended the Respondent bring the property into compliance by removing the trash and debris and paying staff costs of \$411.06 by 5/11/09. If not, a \$25 daily fine be ordered until the property is found in compliance and costs are paid.

Special Master Hawkins found the property in violation due to the trash and debris. The Respondent was ordered to bring the property into compliance by removing the trash and debris and paying costs in the amount of \$411.06 by 5/11/09. If not, a \$25 daily fine will be assessed until the property is found in compliance and costs are paid.

2) Case #: CE2008-0409

Name: Margaret A. Ayers

Address: 5795 SW 113th Place, Webster

Violation: 13-51(A)(2)(A) and 13-51(A)(3)(B)

Inspector: Edd Kaman

Recommendation: **HEAR CASE**

The Respondent was present and sworn in. The Respondent was sent a Notice of Hearing via certified mail regarding the code case that began on 2/6/09. The property has homestead exemption. Mr. Kaman submitted photographs of the violations dated 4/30/09 into the record. Mr. Kaman's last visit to the property was on 4/30/09, and the property was not in compliance. Mr. Kaman testified Mrs. Akins has spoken with Ms. Ayers regarding the violations.

Ms. Ayers testified her parents are deceased, in which she inherited their property. Ms. Ayers testified she was unaware the proper permits were not obtained for the construction. Ms. Ayers was advised the construction needed to be inspected.

Mr. Kaman recommended the Respondent bring the property into compliance by having the structure inspected to determine permit requirements, applying for the required permits, and paying costs in the amount of \$361.06 within 30 days. If not, a \$25 daily fine be assessed until compliance is met and costs are paid.

Special Master Hawkins found the property in violation due to the construction with electric without the required permits. Costs in the amount of \$361.06 were ordered to be paid and the property be brought into compliance within 30 days by having the structure inspected by building department staff to determine permit requirements and applying for the required permits. If not, a \$25 daily fine will be in effect until the property is found in compliance and costs are paid.

3) Case #: CE2009-0002

Name: Charles Reid Custer, Jr.

Address: 9091 CR 647S, Bushnell

Violation: 6-104(2) & 13-E.3.1.2 SHC 307.4

Inspector: Edd Kaman

Recommendation: **HEAR CASE**

The Occupant, Glenna Wood, was present and sworn in. The Respondent was sent a Notice of Hearing via certified mail, which was received by the Occupant, regarding the code case that began on 1/7/09. The property does not have homestead exemption. Mr. Kaman's last visit to the property was on 4/30/09, and the property was not in compliance. Mr. Kaman submitted photos of the violations taken on 4/30/09 into the record. Mr. Kaman testified the property was currently in compliance with 6-104(2) and the remaining violation includes debris and a vehicle engine. Mr. Kaman testified he has met with Ms. Wood regarding the violations. Mr. Kaman testified the property originally appeared to be a scrap yard; however, the scrap metal, trash, and inoperable vehicles have been removed.

Ms. Wood testified Mr. Custer is deceased and she currently resides on the property. Ms. Wood testified she is in the process of removing the remaining debris.

Mr. Kaman recommended the Respondent bring the property into compliance by removing the remaining debris and paying staff costs of \$511.06 within 30 days. If not, a \$25 daily fine be ordered until the property is found in compliance and costs are paid.

Special Master Hawkins found the property in violation due to the remaining debris (13-E.3.1.2 SHC 307.4). The Respondent was ordered to bring the property into compliance by removing the remaining debris and paying costs in the amount of \$511.06 by 5/11/09. If not, a \$25 daily fine will be assessed until the property is found in compliance and costs are paid.

4) Case #: CE2009-0025

Name: Johnny L. Sr. and Aldea Jo Page
Address: 12430 SW 40th Street, Webster
Violation: 6-104(2) & 6-104(4)
Inspector: Edd Kaman
Recommendation: **HEAR CASE**

The Respondent, Johnny Lee Page, was present and sworn in. The Respondents were sent a Notice of Hearing via certified mail, and the property was posted regarding the code case that began on 2/16/09. The property has homestead exemption. Mr. Kaman's last visit to the property was on 4/30/09, and the property was not in compliance. Mr. Kaman submitted photos of the violations taken on 4/30/09 into the record. Mr. Kaman testified most of the trash and debris have been removed. Mr. Kaman testified he has been in contact with the Respondents regarding the violations, and one inoperable vehicle is to be relocated to the shed and another is to be towed.

Mr. Page testified he is divorced and no longer resides on the property; therefore, none of the items in violation belong to him. Mr. Page testified his ex-wife allowed her family members to reside on the property, in which the inoperable vehicles and trash belong to them. Mr. Page testified he is willing to bring the property into compliance; however, since he does not reside there and the items in violation do not belong to him, it is difficult.

Mr. Kaman recommended the Respondents bring the property into compliance by removing the inoperable vehicles and debris and paying staff costs of \$361.06 by 5/11/09. If not, a \$25 daily fine be ordered until the property is found in compliance and costs are paid.

Special Master Hawkins found the property in violation due to the inoperable vehicles and debris. The Respondents were ordered to bring the property into compliance by removing the inoperable vehicles and debris and paying costs in the amount of \$361.06 within 45 days. If not, a \$25 daily fine will be assessed until the property is found in compliance and costs are paid.

5) Case #: CE2009-0028

Name: Jumper Creek Joint Venture
Address: SE 26th Drive, Bushnell
Violation: 6-104(2), 6-104(4), 6-104(5)
Inspector: Edd Kaman
Recommendation: **HEAR CASE**

The Respondents were not present. The Respondents were sent a Notice of Hearing via certified mail regarding the code case that began on 1/28/09. The property does not have homestead exemption. Mr. Kaman's last visit to the property was on 4/30/09, and the property was not in compliance. Mr. Kaman submitted photos of the violations taken on 4/30/09 into the record. Mr. Kaman testified the inoperable vehicles have been removed.

Mr. Kaman explained there are several parcels involved with this case since the vacant lots in violation are all owned by the Respondents; however, only one parcel number was assigned to the code case. Mr. Kaman testified the Notices sent to the Respondents reflected all vacant lots needed to be brought into compliance.

Mr. Kaman recommended the Respondents bring the property into compliance by 5/11/09 by mowing and maintaining the vacant lots, removing the remaining trash and debris, and paying staff costs of \$361.06. If not, a \$100 daily fine be ordered until the property is found in compliance and staff costs are paid.

Special Master Hawkins found the property in violation due to the trash and debris and unkempt vacant lots. The Respondents were ordered to bring the property into compliance by mowing and maintaining the vacant lots, removing the trash and debris, and paying costs in the amount of \$361.06 by 5/11/09. If not, a \$100 daily fine will be assessed until the property is found in compliance and costs are paid.

There was no other business to discuss; therefore, Special Master Hawkins adjourned at approximately 3:40 PM.